

702 KAR 3:220. Guidelines for waiver of school fees.

RELATES TO: KRS 160.330

STATUTORY AUTHORITY: KRS 160.330

NECESSITY, FUNCTION, AND CONFORMITY: KRS 160.330 provides that local school districts shall establish, consistent with State Board for Elementary and Secondary administrative regulations, a process to waive fees for qualifying students and a procedure for notice of such. This administrative regulation provides guidelines for the waiver of school fees by local districts.

Section 1. Local school districts shall establish a process by which to waive any applicable fees charged by the district for pupils who qualify for free or reduced price lunches, including a process by which at least all such students shall be informed of the fee waiver provisions. Districts that do not charge fees to any students shall not be subject to these requirements.

Section 2. Local school districts shall adopt specific policies and procedures whereby, at the beginning of the school year or at the time of enrollment, all or at least qualifying pupils and their parents shall be given clear and prominent written notice of the fee waiver process, including the applicable income guidelines. Such policies and procedures shall also insure that the written notice of the fee waiver process shall include a form that parents shall use to request waiver of applicable fees.

Section 3. Local districts shall keep records for documentation and compliance purposes, which shall be made available to the Department of Education upon request. These records shall include:

- (1) The number of pupils receiving free lunches and reduced price lunches;
- (2) The number of pupils who request that fees be waived and the number of pupils for who fees are waived;
- (3) Copies of any forms, notices or instructions used by schools in the collection or waiver of fees.

Section 4. Mandatory waiver of fees shall apply to all charges, direct or indirect, which would otherwise be required for participation in the following school-sponsored courses, activities, programs, events or services:

- (1) Charges and deposits collected by a school for use of school property, including but not limited to, locks, towels, laboratory equipment and special workbooks;
- (2) Charges for field trips, any portion of which fall within the school day;
- (3) Charges or deposits for uniforms or equipment related to intramural sports, music, or fine arts programs;
- (4) Special supplies or fees required for a particular class;
- (5) Graduation fees required for participation;
- (6) Special education fees;
- (7) School records fees;
- (8) School health service fees;
- (9) General activities fees;
- (10) Vocational education fees;
- (11) Driver's education fees; and
- (12) Any other fees not exempt under Section 5 of this administrative regulation.

Section 5. Mandatory waiver of fees shall not apply to the following:

- (1) Activities or rental of property taking place or for exclusive use outside the normal six (6) hour school day (and any local district extension of such) and having no impact upon graduation from or credit for any instructional course(s) included in or authorized by the "Program of Studies for Ken-

tucky Schools, Grades K-12", incorporated by reference in 704 KAR 3:304; and

(2) Costs for materials, equipment, or supplies beyond those necessary for full credit for instructional courses and essential for meeting student performance objectives.

Section 6. Local districts shall provide written notice of approvals and denials of fee waivers. Any denial shall contain the specific grounds for denial and shall afford the opportunity for a personal meeting with appropriate district personnel to discuss the validity of the denial. (17 Ky.R. 1651; Am. 1994; eff. 1-6-91; 18 Ky.R. 476; eff. 11-8-91.)